

PROB 12B
(4/8/15)SWPA

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NEW YORK

★ OCT 20 2015 ★

BROOKLYN OFFICE

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: David Mangual

Case Number: 0207 1:12CR00170

Name of Sentencing Judicial Officer: The Honorable Jack B. Weinstein, U.S. District Court Judge

Date of Original Sentence: 3/22/2013

Original Offense: Possession of Child Pornography, a violation of 18 USC 2252(a)(4)(B) and 2252(b)(2).

Original Sentence: 5 years probation, and \$100 special assessment fee. The following special conditions were also imposed: sex offender treatment; a ban on cohabitation with any child under the age of 18 unless approved by the court's Probation Department; a ban on associating with children under the age of 18 without prior approval from Probation, with an exception for situations at work and school; compliance w/ sex offender registration requirements; a ban on the use of a computer or Internet capable device to access pornography of any kind; cooperation with limitations by Probation's Computer and Internet Monitoring Program to the extent that it does not interfere with his studies or employment; a ban on possession of a firearm, ammunition or any other destructive device; periodic polygraph testing; and a search condition.

Type of Supervision: PROB

Date Supervision Commenced: 3/22/2013

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

For a period of 30 days, the defendant shall reside in a Residential Re-Entry Center (RRC) approved by the Probation Department. While in the RRC, the defendant shall adhere to all rules and conditions established by the RRC, including the payment of subsistence costs.

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CAUSE

On October 15, 2015, we appeared before Your Honor for a status conference on a violation of probation. The Probation Department amended our original recommendation, and proposed a modification of the offender's conditions of release to include 30 days residence in a Residential Re-Entry Center. Defense Counsel requested a brief adjournment to discuss same with the offender and his family. On October 20, 2015, the offender was presented with and signed the attached Probation Form 49, agreeing to the proposed modification.

Respectfully submitted,



Erin L. Weinrauch
U.S. Probation Officer
Date: October 20, 2015

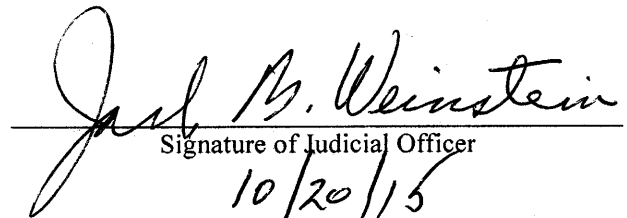
Approved by,



Lawrence M. Andres, Jr.
Supervising U.S. Probation Officer
Date: 10/20/2015

THE COURT ORDERS:

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above.
- ☐ Other



Signature of Judicial Officer

10/20/15

Date

PROB 49
(4/15)SWPA

United States District Court

EASTERN DISTRICT OF NEW YORK

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

For a period of 30 days, the defendant shall reside in a Residential Re-Entry Center (RRC) approved by the Probation Department. While in the RRC, the defendant shall adhere to all rules and conditions established by the RRC, including the payment of subsistence costs.

Witness



Erin Weinrauch
(U.S. Probation Officer)

Signed



David Mangual
(Probationer or Supervised Releasee)

October 20, 2015

(Date)